



# Town Council Agenda Report

**SUBJECT:** QUASI JUDICIAL - VARIANCE

**CONTACT PERSON/NUMBER:**

Name: Mark Kutney, AICP  
Phone: (954) 797-1101

**TITLE OF AGENDA ITEM:**

V 10-1-99 - "Davie Plaza": Sign Craft, petitioner / Konover & Associates, owner - 11200 through 11600 State Road 84 / Generally located at the southwest corner of State Road 84 and Hiatus Road.

**REPORT IN BRIEF:**

The petitioner is in the process of redeveloping the existing 300,000 square foot Davie Plaza shopping center located at the southwest corner of State Road 84 and Hiatus Road. In doing so, the petitioner states there is a need for additional identification to ensure the success of the shopping center, and is proposing a total of four (4) free standing sign structures to be strategically located along the north and east boundary lines of the site. One on the four (4) free standing signs, to be located at the intersection of State Road 84 and Hiatus Road, is proposed at 50 feet (see attached sign "A"). Town code permits a maximum height of 20 feet along State Road 84, which also requires a setback equal to or greater than the height of the sign. Therefore, the petitioner is requesting a variance from the maximum sign height and minimum setback requirements for free standing signs. This sign and the remaining three others meet all other applicable sign code requirements. The petitioner states, the purpose of the request to increase the height of sign "A" to 50 feet is to compensate for the reduction in visibility to the west bound traffic on I-595, created by the I -595 overpass at Hiatus Road.

Staff has made several passes on I-595, heading both east and west, in order to identify the visibility thresholds of the site. Using an existing 50 foot power pole, located across Hiatus Road adjacent to the proposed sign location, staff found that a sign at that height would generally not be visible to motorists in time for them to exit at Hiatus Road. Therefore, staff believes the 50 foot sign height would not serve its intended purpose of identification and would work more like a landmark, and that 20 foot signs along the State Road 84 and I-595 frontage would be sufficient to cue west-bound motorists to exit at Flamingo Road and utilize the interior turn around lane to reapproach heading east on State Road 84.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:**

- On November 3, 1999 meeting, the Planning and Zoning Board recommended to table this item (motion carried 5-0).
- On January 12, 2000, the Planning and Zoning Board recommended denial (motion carried 4-0, Mr. Stahl absent).

**FISCAL IMPACT:** Not Applicable.

**RECOMMENDATION(S):** Motion to approve.

**Attachment(s):** Planning Report, Proposed Signage Details Land Use Map, Subject Site Map, and Aerial.

Application #: V 10-1-99  
"Davie Plaza"

Revisions: 1/13/00

Exhibit "A":

Original Report Date: 1/5/00

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**TOWN OF DAVIE**  
**Development Services Department**  
**Planning & Zoning Division Staff**  
**Report and Recommendation**

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**APPLICANT INFORMATION**

**Owner:**

**Name:** Konover & Associates  
South, Inc.  
**Address:** 7000 West Palmetto Park  
Park Boulevard, Ste. 408  
**City:** Boca Raton, FL 33433  
**Phone:** (561) 394-4224

**Agent:**

**Name:** Sign Craft, contact Karen Toomey  
**Address:** 8355 Gardens Road  
**City:** Riviera Beach, FL 33404  
**Phone:** (561) 863-3660

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**BACKGROUND INFORMATION**

**Application Request:** to **1)** increase the maximum free standing sign height from 20 feet to 50 feet, and **2)** reduce the required free standing sign setback from a distance equal to the height of the sign to 30 feet.

**Purpose of the Request:** Variance **1)**: The petitioner states, the 50 foot height is the minimum height necessary to compensate for the reduction in visibility to west-bound traffic on I-595, created by the I -595 overpass at Hiatus Road, in order to provide ample time for motorists to transition to the exit ramp at Hiatus Road. Variance **2)** the petitioner states existing site conditions within the parking areas prevent them from meeting the required 50 foot setback.

**Address/Location:** 11200 through 11600 State Road 84 / Generally located at the southwest corner of State Road 84 and Hiatus Road.

**Land Use Plan Designation:** Commercial

**Zoning:** B-2, Community Business

**Existing Use:** 300,000 square foot shopping center

**Proposed Use:** Same  
**Parcel Size:** 35.71 acres

**Surrounding Land Use:**

**South:** Existing Mobile Home Park (Rexmere Village)

**East:** Rental Apartment Complex (Cameron Palms)

**West:** Partially vacant land with an existing mobile home sales building.

### **Surrounding Zoning:**

**North:** T, Transportation

**South:** T-1C, County and R-1T, County

**East:** RM-10, Medium Dwelling District

**West:** A-1, Agricultural, across SW 117th Way.

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## **ZONING HISTORY**

**Related Zoning History:** None.

**Previous Request on same property:** Winn Dixie is proposing to redevelop the existing shopping center. A site plan has been presented to the Site Plan Committee (SPC) on December 21, 1999. The SPC recommended approval conditioned upon a modification to the landscape plan. At this time, the site plan has not been scheduled for Town Council as the recommended modifications by the SPC are still pending.

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## **DEVELOPMENT PLAN DETAILS**

### **Development Details:**

One of the four (4) free standing signs, to be located at the intersection of State Road 84 and Hiatus Road, is proposed at 50 feet (see attached sign "A"). Town code permits a maximum of 20 feet along State Road 84, which also requires a setback equal to or greater than the height of the sign. Therefore, the petitioner is requesting a variance from the maximum sign height and minimum setback requirements for free standing signs. This sign meets all other applicable sign code requirements.

The remaining three (3) signs will meet all required sign code requirements and will be located on the site as follows.

1. Free standing sign: 20 feet in height to be located at the western-most entrance from State Road 84 (see attached sign "B").
2. Free standing sign: 15 feet in height to be located at the northern entrance from Hiatus Road (see attached sign "B").
3. Free standing ground identification sign: 6 feet in height, displaying only the Davie Plaza name to be located at the center entrance off State Road 84 (see attached sign "C").

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## **Applicable Codes and Ordinances**

- Sign location and setbacks, signs shall be setback from any existing right-of-way line or property line a distance equal to or greater than the sign height.

#### LDC Section 12-241, Permitted Signs

- shopping centers are permitted one sign per entrance.
- an outparcel or freestanding business may provide a freestanding identification sign and are not subject to the minimum 200 foot separation.
- free standing center identification signs shall be located a minimum of 100 feet from other freestanding signs and shall be limited to the center name and address.

#### LDC Section 12-242, Sign Performance Standards (A)1 & 2

- For property frontages of 1,200 feet and over the maximum sign area equals 160 square feet, maximum sign height equals 20 feet for State Road 84, and the maximum number of business names equals 10.
- Where more than one freestanding sign may be permitted, the maximum size of any sign may be increased by up to 40% provided there is a corresponding reduction in sign area of the remaining freestanding signs.

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### Comprehensive Plan Considerations

**Planning Area:** The subject site falls within Planning Area 4. This planning area is bordered by S.R. 84 on its north, University Drive on its east, Flamingo Road on its west, and an irregular border on its south that corresponds to Nova Drive and, SW 14th Street and the Village of Harmony Lakes development. A portion of University Drive and S.R. 84 commercial corridors are included in this area, as are several planned residential communities typically developed at five dwellings per acre, but in some cases up to ten, including Pine Island Ridge. Other community shopping centers located on State Road 84 are, Shenandoah Square, Ridge Plaza, and the K-mart Shopping Center.

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### Broward County Comprehensive Plan Considerations

This property falls within flexibility Zone 100.

### Staff Analysis

The petitioner is in the process of redeveloping the existing 300,000 square foot Davie Plaza shopping center located at the southwest corner of State Road 84 and Hiatus Road. In doing so, the petitioner states there is a need for additional identification to ensure the success of the shopping center, and is proposing a total of four (4) free standing sign structures to be strategically located along the north and east boundary lines of the site.

Staff has made several passes on I-595, heading both east and west, in order to identify the visibility thresholds of the site. Using an existing 50 foot high power pole near the location of the proposed 50 foot sign, staff found that a sign at that height would be visible after passing over the Nob Hill overpass on the downward approach. However, a motorist would most likely not be able to read its contents until approximately 3/4 of the distance to the Hiatus road overpass.

By this time, at speeds of 60 to 70 miles per hour, it may be too late to get off at the Hiatus Road exit. Therefore, staff believes the 50 foot sign height would not serve its purposes of identification and would work more like a landmark, and that the 20 foot signs to the west along State Road 84 would be sufficient to cue west-bound motorists to exit at Flamingo Road and utilize the interior turnaround lane to re-approach heading east on State Road 84.

Staff also found that proposed signs to be located on the western portion of the site along State Road 84, which meet all code requirements, would be sufficient to cue east bound motorists on I-595 to exit at Hiatus Road. In addition, there have been no prior variances approved for signage above the maximum 20 foot height along State Road 84 and I-595. Two billboard signs exist along this corridor and do not provide identification for the properties on which they are located. Therefore, the applicant has not demonstrated an unnecessary hardship. Staff finds this request is inconsistent with the general intent and purpose of the code.

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## Findings of Fact

### Section 12-309(B)(1)

- (a) The strict application of the provisions of the code will not deprive the applicant of the reasonable use of such land for which the variance is sought, and the hardship is self-created and there are not special circumstances relating to the land.
- (b) The variance as requested is not the minimum variance that will accomplish this purpose.
- (c) The variance request is not in harmony with the general purpose and intent of the code and may be injurious to the area or otherwise detrimental to the public welfare.

## Planning and Zoning Board Recommendation

As the petitioner was not present at the meeting, on November 24, 1999, the Planning and Zoning Board voted (5-0) to table this petition to its January 12, 2000 meeting. This item could not be represented in December due to the Holidays.

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## Staff Recommendation

**Recommendation:** Based upon the above and the finding of facts in the negative, staff recommends denial of Application No. V 10-1-99.

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## Planning and Zoning Board Recommendation

On January 12, 2000, the Planning and Zoning Board recommended denial (motion carried 4-0, Mr. Stahl absent).

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## Exhibits

- 1. Proposed Signage Details
- 2. Land Use Map
- 3. Subject Site Map

Prepared by: \_\_\_\_\_

EXISTING ZONING: *B2*  
CODE SECTION:

PROPOSED ZONING:  
CODE SECTION:

LAND USE DESIGNATION: *Commercial*

FOLIO NUMBER 10012-40-00100 & 10012-41-00100

TOWN OF DAVIE USE ONLY	
PETITION NO.	<i>V10-1-99</i>
FEE.	<i>\$930.00</i>
RECEIPT NO.	<i>7774</i>

TOWN OF DAVIE  
VARIANCE APPLICATION

(NOTE: INFORMATION MUST BE TYPED AND NOTARIZED)  
Make Checks payable to TOWN OF DAVIE

DATE FILED:

PHONE: 561-863-3660

PETITIONER: Karen Toomey

MAILING ADDRESS: 8355 Garden Road, Riviera Beach, FL 33404

RELATIONSHIP TO PROPERTY: Authorized Agent

OWNER: Konover & Associates / *DAVIE P/B2A*

MAILING ADDRESS: 7000 W Palmetto Park Road, Suite 408, Boca Raton

ADDRESS OF PROPERTY: *11486* State Road 84, Davie, FL

LEGAL DESCRIPTION: (Certified Sealed Boundary Survey to include statement of amount of acreage involved MUST be submitted with application):

10012-40-00100 & 10012-41-00100

ACREAGE:

REQUEST:

REASON FOR REQUEST: (attach additional sheet as necessary)

*pre-app meeting 10/8/99 Jot Heri*

\* \* \* PETITIONER MUST BE PRESENT IN ORDER FOR ACTION TO BE TAKEN \* \* \*

OFFICE USE ONLY

APPROVED AS TO FORM: *Jot* PUBLICATION DATE: *11/3/99*

MEETING DATE: PLANNING AND ZONING BOARD: *11/30/99* TOWN COUNCIL: \_\_\_\_\_

NOTICES SENT: \_\_\_\_\_ REPLIES: FOR: \_\_\_\_\_ AGAINST: \_\_\_\_\_

UNDELIVERABLE: \_\_\_\_\_

Konover, Associates South, Inc., nominee owner for  
Davie Plaza Limited Partnership  
By: Konover Mobile, Inc. its general partner

OWNER'S NAME(S)

Maria S. Ashenfelter

OWNER'S SIGNATURE (ALL OWNERS MUST  
SIGN) Maria S. Ashenfelter, Vice President

7000 W. Palmetto Park Rd., Ste. 408  
ADDRESS

Boca Raton, Florida 33433

CITY, STATE, ZIP

(561) 394-4224

PHONE

The foregoing instrument was acknowledged before me  
this 8<sup>th</sup> day of October, 1999, by  
Maria Ashenfelter who is personally  
known to me or who has produced  
as identification and who did take an oath.

NOTARY PUBLIC:

Sign: Arlene Adelkoff  
Print:

My Commission Expires: ARLENE ADELKOFF  
COMMISSION # CC 505091  
EXPIRES OCT 24, 1999  
BONDED THRU  
ATLANTIC BONDING CO., INC.

Karen Toomey  
PETITIONER'S NAME

Karen Toomey  
PETITIONER'S SIGNATURE

8355 Gardens Rd  
ADDRESS

Riveria Beach, FL 33401  
CITY, STATE, ZIP

(561) 863-3660  
PHONE

The foregoing instrument was acknowledged before me  
this 8 day of Oct, 1999 by  
Karen Toomey who is personally  
known to me or who has produced

as identification and who did take an oath.

NOTARY PUBLIC:

Sign: Joan A. Tuliszewski  
Print:

My Commission Expires: OFFICIAL NOTARY SEAL  
JOAN A. TULISZEWSKI  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC591059  
MY COMMISSION EXP. OCT. 23, 2000

OFFICE USE ONLY

PLANNING AND ZONING BOARD RECOMMENDATION:

TOWN COUNCIL ACTION:

# Sign Craft, Inc.

To Whom It May Concern:

I hereby authorize SignCo Corporation d/b/a Sign Craft and / its representatives to act as agent on our behalf for signage permits and any variance for the below address:

X The Plaza, Davie, Florida

The Property Control # (Please Provide) X 10012-40-00100 and 10012-41-00100  
( Real Estate / Tax Folio # )

Sincerely,

Konover & Associates South, Inc. nominee owner for Davie Plaza Limited Partnership

By: Konover Mobile, Inc., its general partner

Maria S. Ashenfelter  
Property Owner Maria S. Ashenfelter, Vice President

Property Owner Name:

X Konover & Associates South, Inc. nominee owner  
X for Davie Plaza Limited Partnership

Property Owner Address:

7000 W. Palmetto Park Rd., Ste. 408

Boca Raton, Fl 33433

Property Owner Phone #:

(561) 394-4224

State Of

Florida

County Of

Subscribed and Sworn to before me this

11<sup>th</sup>

day of

October

19 91

Notary Public

My Commission Expires

Arlene Adelyc  
ARLENE ADELYC  
COMMISSION # CC  
EXPIRES OCT 24, 1992  
BONDED THRU  
ATLANTIC BONDING CO., INC.

8355 Garden Road Riviera Beach, Florida 33404  
Office- 561-863-3660 Nationwide-800-343-3593 Fax-561-863-3661



**LEGAL DESCRIPTION:**

ALL OF PARCEL "A" OF THE PLAZA, ACCORDING TO THE PLAT THEREOF AS  
RECORDED IN PLAT BOOK 125, AT PAGE 33 OF THE PUBLIC RECORDS OF  
BROWARD COUNTY, FLORIDA; AND

ALL OF PARCEL "A" OF THE PLAZA II, ACCORDING TO THE PLAT THEREOF AS  
RECORDED IN PLAT BOOK 126, AT PAGE 24 OF THE PUBLIC RECORDS OF  
BROWARD COUNTY, FLORIDA.



8355 Garden Road, West Palm Beach, Florida, 33404 • Phone 561-863-3660 • Toll Free 1-800-343-3593 • Fax 561-863-3661

October 15, 1999

Town Council  
Town of Davie  
6591 S.W. 45 Street  
Davie, Florida 33314

RE: Davie Plaza

Dear Town Council:

The referenced property is currently going through a complete major renovation to increase its market value as well as its economic value. One concern we would like to address is the sign code ordinance.

Based on the capacity of this shopping center, the current code does not allow sufficient identification for the numerous tenants. The property along I-595 currently has minimal signage exposure with the largest tenant base for this type of retail environment for the Town of Davie. It is imperative to have adequate identification for Davie Plaza, as there is only one (1) exit for traffic flow from I-595 to the center. We feel the success of Davie Plaza will strongly be dependent on sign identification. The proposed signage will provide adequate visibility needed to accommodate the shopping center.

Currently, Davie Plaza has main signage that is not uniform with one another and the tenant signs are of different sizes, shapes and colors. Konover Property is also proposing to implement a uniform sign criteria to address major and minor tenants. This sign criteria will insure consistency and improve the appearance of the shopping center while regulating the type of signage allowed within the guidelines of the sign code for the Town of Davie.

Thank you for your understanding and consideration regarding this matter.

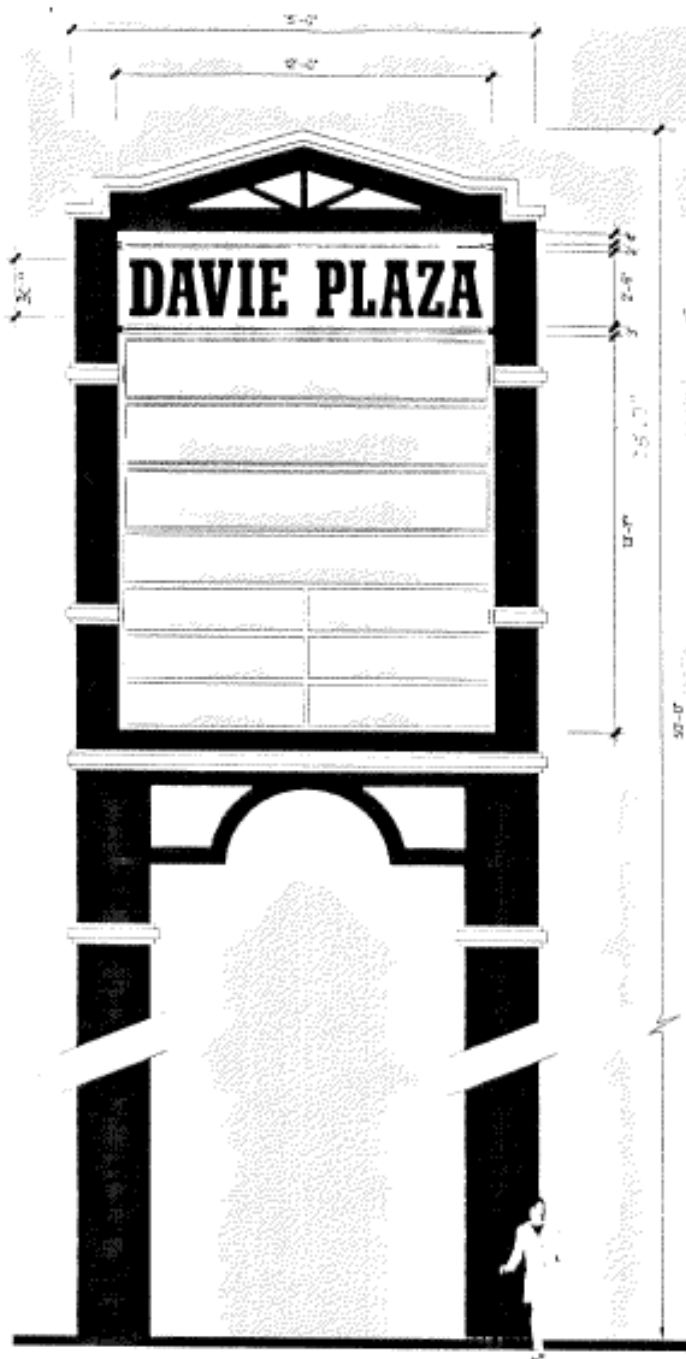
Sincerely,

Karen Toomey  
Account Executive

E-Mail: [sales@sign-craft.com](mailto:sales@sign-craft.com)  
Web Site: [www.sign-craft.com](http://www.sign-craft.com)



# SIGN "A"



SIGN ELEVATION : 3/16" = 1'-0"

## DESCRIPTION :

DOUBLE FACED, INTERNALLY ILLUMINATED PYLON SIGN WITH POLE COVERS, MAIN ID. AND TENANT CABINETS OF ALUMINUM CONSTRUCTION. MAIN ID. FACES OF ALUMINUM WITH COPY ROUTED OUT AND BACKED WITH TRANSLUCENT ACRYLIC. MAIN ID. CABINET WILL HAVE 2" REVEALS WITH SINGLE LINE ACCENT NEON MOUNTED INSIDE. ANCHOR TENANT FACES OF PAN FORMED OR ACRYLIC WITH EMBOSSED COPY. ALL OTHER TENANT FACES OF FLAT ACRYLIC WITH VINYL COPY. ALL RAISED BAND AND MOLDING WILL BE OF FOAM AND ALUMINUM. DECORATIVE WINDOW MATCHES ENTRANCE ON BUILDING FRONT AND WILL HAVE OPEN AREAS. CABINETS, POLE COVERS AND RAISED BANDS WILL BE FINISHED WITH "PRO-TEX" TEXTURED COATING. SEE COLOR SCHEDULE BELOW.

## COLORS :

MAIN ID. & TENANT CABINETS - "PRO-TEX" SAND BUFF  
MAIN ID. LETTERS - 2415 RED ( TRANSLUCENT ) ACRYLIC  
REVEALS - WHITE  
ACCENT NEON - WHITE  
POLE COVERS & SIGN BODY - "PRO-TEX" #F734 RUSTY RED  
RAISED BANDS - LT. STUCCO WHITE

Scale: 1/8" = 1'-0"

JOHN HOLT  
325 62nd Avenue  
West Palm Beach, FL 33409  
561-793-7643  
State Plan No. 15252

ARCHITECTURAL ENGINEER



This design is the  
exclusive property of  
Sign Corp., Inc. and may  
not be reproduced or  
copied without written  
consent.

1/8" = 1'-0"

DATE: 10/1/86

REVISION: 10/1/86

DESIGNED BY: J.H.H.

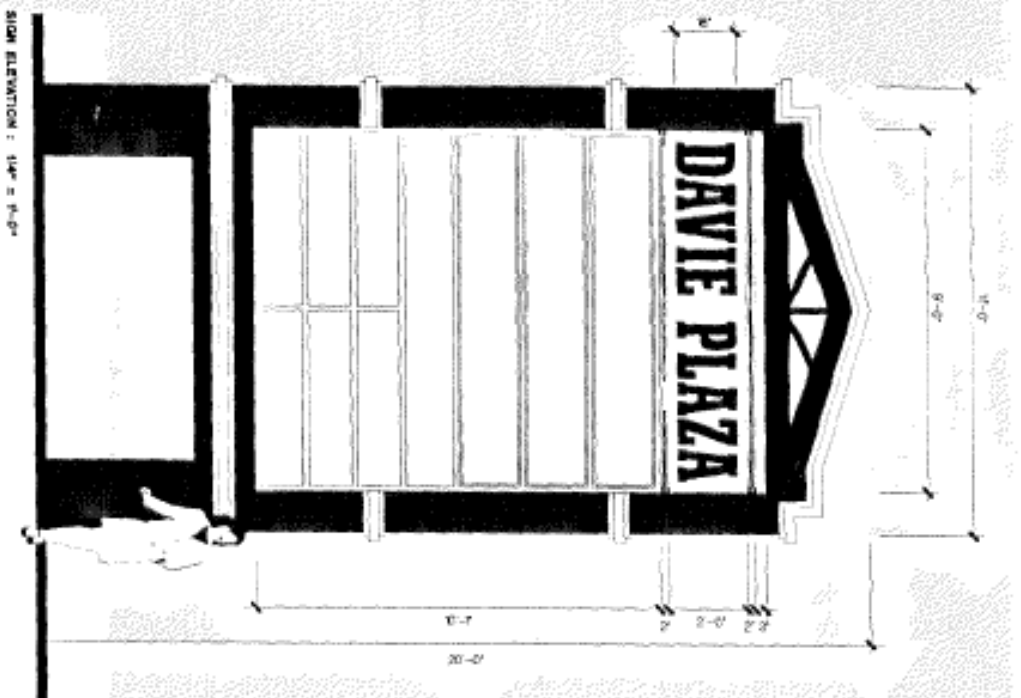
CHECKED BY: J.H.H.

SCALE: 1/8" = 1'-0"

Let us quality first to service  
you. We are the only  
company in the world  
that can do this.  
Phone: 407-453-2000  
Fax: 407-453-2001



# SIGN "B"



SIGN ELEVATION : 14'-0" x 14'-0"

## DESCRIPTION :

DOUBLE FACED, INTERNALLY ILLUMINATED Pylon SIGN WITH POLE COVERS, MAIN ID. AND TENANT CABINETS OF ALUMINUM CONSTRUCTION. MAIN ID. FACES OF ALUMINUM WITH COPY ROUTED OUT AND BACKED WITH TRANSLUCENT ACRYLIC. MAIN ID. CABINET WILL HAVE 2' REVEALS WITH SINGLE LINE ACCENT NEON MOUNTED INSIDE. ANCHOR TENANT FACES OF PAN FORMED IN ACRYLIC WITH EMBOSSED COPY. ALL OTHER TENANT FACES OF FLAT ACRYLIC WITH VINYL COPY. ALL RAISED BAND AND MOLDING WILL BE OF FOAM AND ALUMINUM DECORATIVE WINDOW MATCHES ENTRANCE ON BUILDING FRONT AND WILL HAVE OPEN AREAS. CABINET'S POLE COVERS AND RAISED BANDS WILL BE FINISHED WITH "PRO-TEX" TEXTURED COATING. SEE COLOR SCHEDULE BELOW.

## COLORS :

MAIN ID. & TENANT CABINETS - "PRO-TEX" SAND BUFF  
MAIN ID. LETTERS - 2415 RED (TRANSLUCENT) ACRYLIC  
REVEALS - WHITE  
ACCENT NEON - WHITE  
POLE COVERS & SIGN BODY - "PRO-TEX" #1734 RUSTY RED  
RAISED BANDS - LT. STUCCO WHITE



SCALE: 1/4" = 1'-0"

SHEET 123 X TROCKY

DRAWN BY: BH

CHECKED BY: JPH/C

DATE: 02/11/95

REVISED: 01/11/95

**Keyto-Signs**

This design is the exclusive property of Sign Craft, Inc. and may not be reproduced without written consent.



DAVIE, FLORIDA

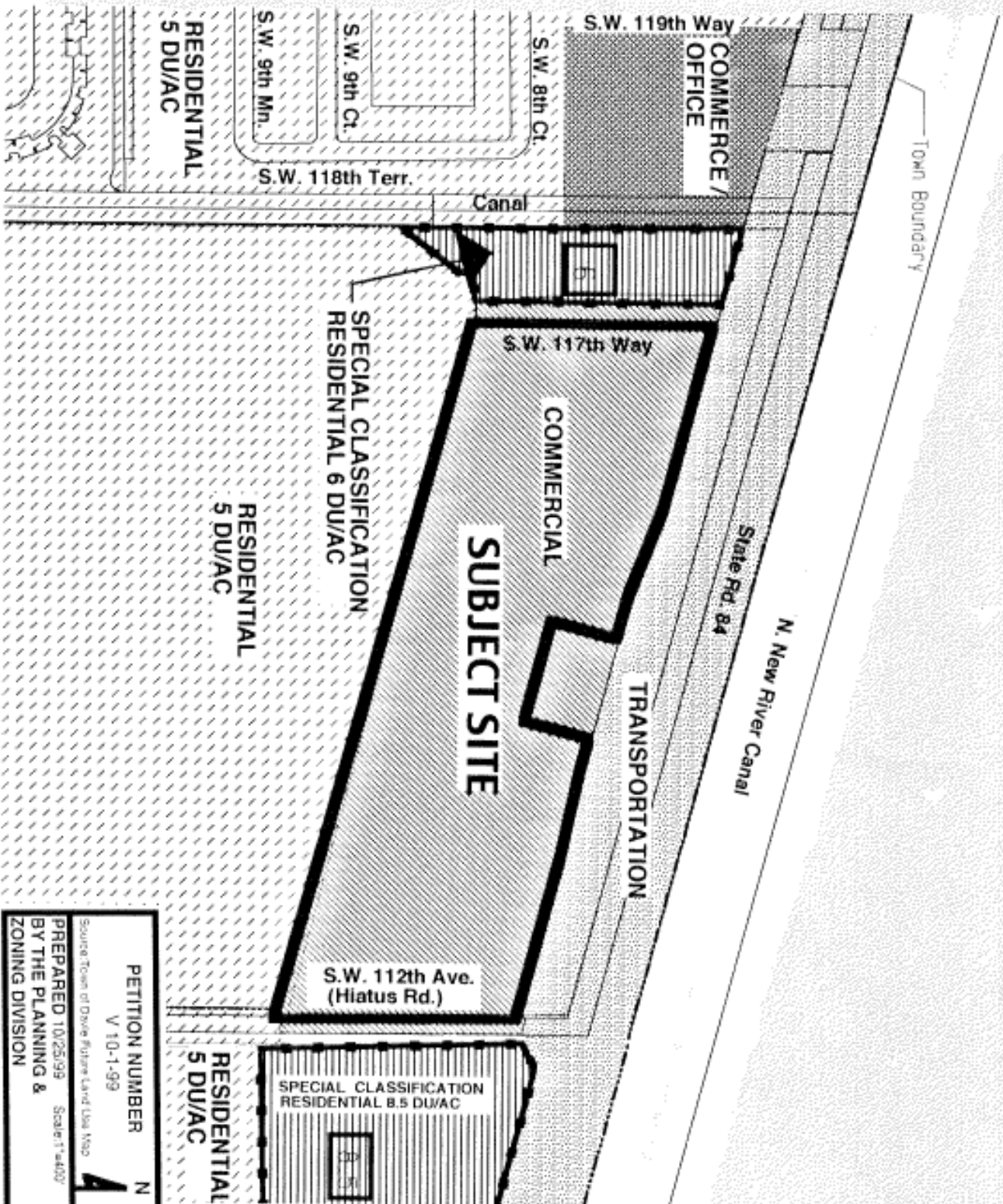
**CRITICAL DESIGN**

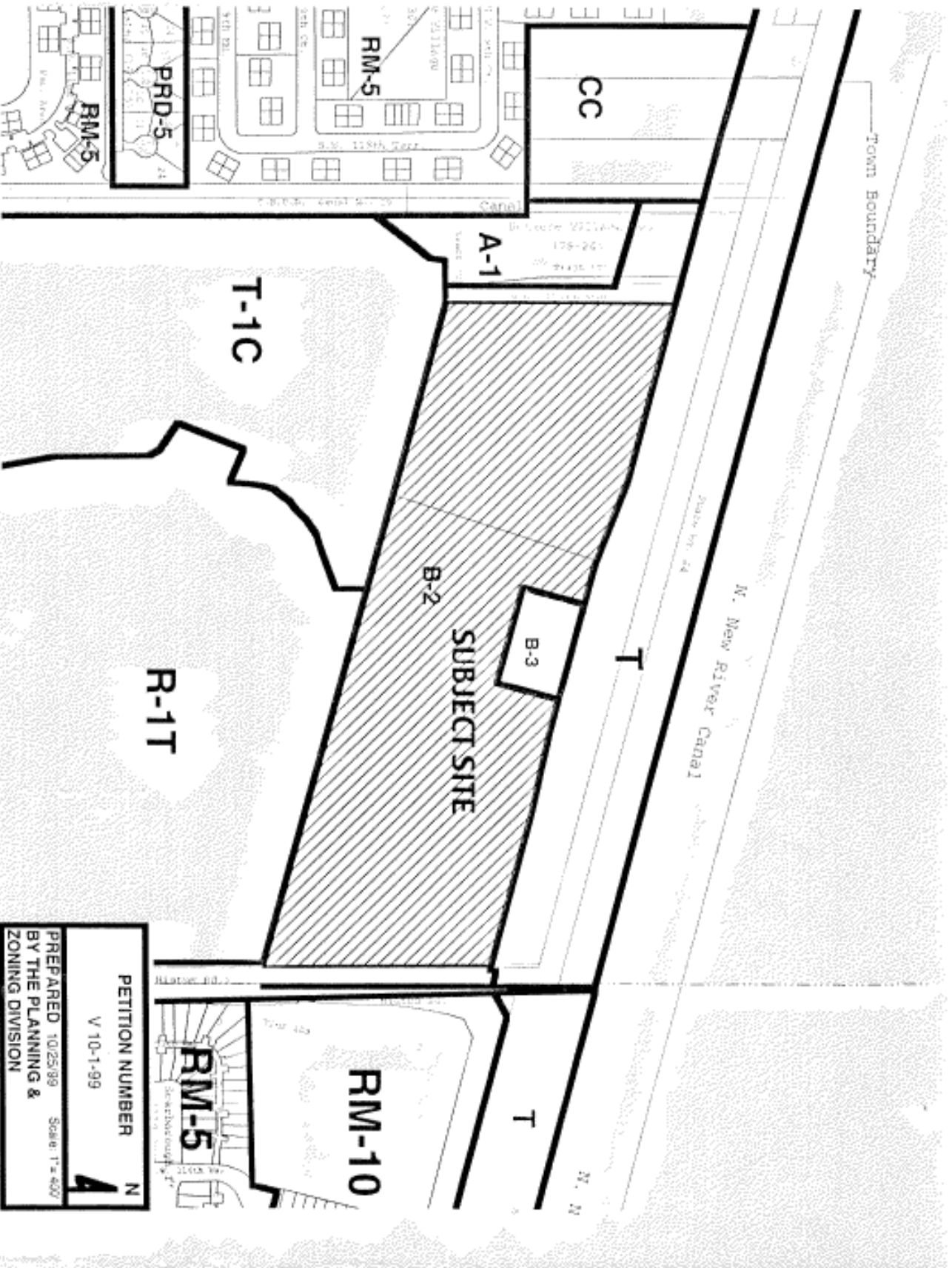
JOHN HOLT  
325 Acme Avenue  
Waukegan, IL 60087  
561-793-7843  
Sign File No. 15252

Sign: \_\_\_\_\_  
Date: \_\_\_\_\_









PETITION NUMBER  
V 10-1-99  
N  
4  
PREPARED 10/25/99 Scale 1" = 400'  
BY THE PLANNING &  
ZONING DIVISION

